

AMENDED

Serial No. 12891

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED.

Date of first receipt and filing in State Engineer's office MAY - 4 1949

Returned to applicant for correction JUN - 6 1949

Corrected application filed AUG 3 1949

The undersigned SALMON RIVER CANAL COMPANY, LTD., a corporation incorporated in the State of Idaho, duly qualified in the State of Nevada, County of Clark, hereby makes application for permission to change the point of diversion and place of use of water heretofore appropriated under decreed right (State nature of right that is the basis of this application, i. e., vested, decreed or permitted right.)

1. The source of water supply is Salmon River

2. The quantity of water desired to be changed 797 acre ft--3.214 sec. (Acre feet, second feet.) ft.

3. The water is to be used for irrigation and domestic purposes

4. The water heretofore used for irrigation and domestic purposes

5. Place of use under existing appropriation 321.39 acres in Sections 11, 14, 22, 23, 26 and 27, T. 46 N., R. 64 E., See map. (Under irrigation give number acres and description in respect to Government Land Survey; under any other use give location as being within a 40-acre subdivision.)

6. Proposed place of use under this application (Under irrigation give number of acres and description in respect to Government Land Survey; under any other use give location as being within a 40-acre subdivision.)

7. The water is to be diverted from its source at the following point: First Point: SE 1/4 NE 1/4 Of Sec. 20, T. 45 N., R. 64 E., or at a point whence the one quarter corner between Secs. 20 & 21, T. 45 N., R. 64 E., bears S. 34° 53' E., 986.90 feet. (Describe as being within a 40-acre subdivision of public survey or by course and distance to a section corner.) Final point: Within NE 1/4 Sec. 18, T. 14 S., R. 15 E., B.M. See map.

8. The existing point of diversion under the former appropriation is as follows: The San Jacinto (sometimes called the Middle Ditch) in the SE 1/4 NE 1/4 Sec. 27, T. 46 N., R. 64 E. See map. (If point of diversion is not changed do not answer.)

9. Number and kind of animals proposed to be watered

10. Use will begin about April (Month) and end about October (Month) of each year.

11. The water has been used heretofore during the months of April to October, inclusive of each year

12. Remarks The tract of land to which the water right is to be transferred (see item 6 above) has never received sufficient water to properly irrigate same, and rights decreed to same have never been filled. Applicant owns all lands on which present diversions are situate, and its share holders own lands upon which water will be used. No users intervene between present points diversion and proposed place of use.

13. Description of proposed works Earthen dam at first point of diversion;  
30 foot canal average depth 6 feet gradient .3% leading northerly from  
point diversion. Water conducted to impounding dam Twin Falls County,  
Idaho. Said dam creates reservoir approximately 182650 acre feet  
capacity, from which there is the final point of diversion (See map.)

14. Estimated cost of works \$70,000.00. Cost reservoir & distributing  
system has been over \$1,000,000.00.

15. Estimated time required to construct the works is one year.

Compared FND-AI Salmon River Canal Company, Ltd. Applicant.

Map Filed MAR 2 1949 under 12888

By Orville R. Wilson  
Attorney

Protested Nov. 18, 1949 by Walter Gilmer et. al.

(Withdrawn by Salmon River Settlement Agreement - Page 24, Article 24)

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application,  
and do hereby grant the same, subject to the following limitations and  
conditions:

This permit to change the point of diversion and place of use of  
the waters of Salmon River as heretofore decreed by the Fourth Judicial  
District Court of the State of Nevada in and for the County of Elko  
"In the Matter of the Determination of the Relative Rights in and to the  
Waters of Salmon River and its Tributaries, in Elko County, Nevada," is  
issued subject to the terms and provisions imposed in that certain agree-  
ment entitled "Salmon River Settlement Agreement" dated May 20, 1952  
between the Salmon River Canal Company, Ltd. and Walter M. Gilmer, et al.  
It is further understood that no other rights on the source will be  
affected by the change proposed herein and that accurate measurements of  
the water diverted, stored and placed to beneficial use be kept and  
shown on the proof of beneficial use when filed. The State reserves  
the right to regulate the diversion of the water under this proposed  
change at any and all times.

The amount of water to be changed shall be limited to the amount which  
can be applied to beneficial use and not to exceed 3.214  
cubic feet per second or 797 acre-feet per year.

Actual construction work shall begin on or before April 1, 1953

Proof of commencement of work shall be filed before May 1, 1953

Work must be prosecuted with reasonable diligence and be completed on or  
before April 1, 1954

Proof of completion of work shall be filed before May 1, 1954

Application of water to beneficial use shall be made on or before

April 1, 1956. Proof of the application of water to beneficial

use must be filed with State Engineer on or before May 1, 1956

Proof of commencement of work filed APR 22 1953

Proof of Completion of work filed APR 22 1953

PROOF OF BENEFICIAL USE FILED APR 22 1953

WITNESS MY HAND AND SEAL this 1st day

of October, 1952

CERTIFICATE No. 4748 ISSUED 4/30/58 for 3.214 cfs for irrig

RECORDED 5/8/58 BK. 4 PAGE 84-W.R.

Eller COUNTY RECORDER

Alfred Shamburger  
STATE ENGINEER